

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JIM POINDEXTER,	)	
	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	NO. CIV-23-1063-HE
	)	
GEO GROUP INC., et al.,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff Jim Poindexter, proceeding *pro se* and *in forma pauperis*, brings this case seeking relief under 42 U.S.C. § 1983 for alleged violations of his Eighth Amendment right to adequate medical care and Fourteenth Amendment right to equal protection. He also seeks relief for alleged violations of the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.* The case was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings under 28 U.S.C. § 636(b)(1)(B) and (C).

On January 14, 2025, Magistrate Judge Mitchell issued a Report and Recommendation, recommending: (1) granting the motion to quash of defendant Tatiana Knox and dismissing plaintiff's claims against her under Fed. R. Civ. P. 12(b)(6); and (2) converting the motion to dismiss of defendants GEO Group Inc., Heath Service Administrator Emily Timm, and Nurse Doe, to a motion for summary judgment under Fed. R. Civ. P. 56 and granting it.

Plaintiff was advised of his right to file any objections to the Report and Recommendation by February 4, 2025. Because the record was unclear whether the Report

and Recommendation was mailed to plaintiff, the court, by enter order dated February 13, 2025, directed the court clerk to remail the Report and Recommendation. The court also extended the deadline for plaintiff to file any objections until March 3, 2025.

To date, plaintiff has not filed any objections. Plaintiff has therefore waived the right to appellate review of both factual and legal issues contained in the Report and Recommendation. Moore v. United States, 950 F.2d 656, 659 (10<sup>th</sup> Cir. 1991).

Accordingly, the court **ADOPTS** Magistrate Judge Suzanne Mitchell's Report and Recommendation [Doc. #22]. The motion to quash [Doc. #19] of defendant Tatiana Knox is **GRANTED** and plaintiff's claims against her are **DISMISSED** pursuant to Fed. R. Civ. P. 12(b)(6). The motion to dismiss [Doc #21] of defendants GEO Group Inc., Health Service Administrator Emily Timms, and Nurse Doe, is converted to a motion for summary judgment under Fed. R. Civ. P. 56, and the motion is **GRANTED**. A judgment shall issue separately.

**IT IS SO ORDERED.**

Dated this 11th day of March, 2025.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE